

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

CECILIA LOPEZ,

Plaintiff,

NOTICE OF REMOVAL

v.

Civ No.: _____

TARGET CORPORATION,

Defendant.

1. Pursuant to 28 U.S.C. Section 1446(a), Defendant TARGET CORPORATION (hereinafter “Defendant”), by its attorneys, Hurwitz & Fine, P.C., hereby gives notice of the removal of this action from the State of New York, Supreme Court, County of Monroe, to the United States District Court for the Western District of New York.

2. Pursuant to Rule 81(a)(3)(A) of the Local Rule of Civil Procedure, annexed hereto as **Exhibit A** is an Index of the State Court pleadings in this matter.

3. A copy of Plaintiff’s Summons and Complaint filed in the State Court is annexed hereto as **Exhibit B**. According to Plaintiff’s Complaint, Plaintiff Cecilia Lopez (hereinafter “Plaintiff”) alleges that Target was negligent in allowing and permitting a dangerous condition within said premises that allegedly caused Plaintiff to be injured on or about April 19, 2019.

4. A copy of Defendant’s Answer is annexed hereto as **Exhibit C**.

5. The amount in controversy, as stated in a demand letter sent to Target pre-suit, on April 21, 2021, is One Hundred and Fifty Thousand and 00/100 Dollars (\$150,000.00). A copy of this letter is annexed hereto as **Exhibit D**.

6. According to Plaintiff’s Complaint, Plaintiff is a resident of the State of New York.

7. Defendant TARGET CORPORATION is incorporated in the State of Minnesota

with its principal place of business in the State of Minnesota.

8. Less than thirty (30) days has elapsed since receipt of Plaintiff's Summons and Complaint, which was on or about July 1, 2021.

9. Defendant is entitled to remove this action pursuant to 28 U.S.C. Section 1446(a) because the District Court has original jurisdiction over the action pursuant to 28 U.S.C. Section 1332(a)(1), based upon diversity of citizenship of the parties.

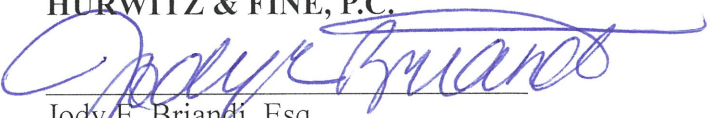
10. Pursuant to 28 U.S.C. Section 1332 (c)(1), a corporation shall be deemed to be a citizen of any state by which it has been incorporated and of the state where it has its principal place of business.

WHEREFORE, Defendant, TARGET CORPORATION hereby removes this action from the State of New York, Supreme Court, County of Monroe, to the United States District Court for the Western District of New York.

DATED: Buffalo, New York
July 20, 2021

HURWITZ & FINE, P.C.

By:


Jody E. Briandi, Esq.
Anastasia M. McCarthy, Esq.
Attorneys for Defendant
Target Corporation
1300 Liberty Building
424 Main Street
Buffalo, New York 14202
(716) 849-8900

TO:
Edward J. Schwendler, III, Esq.
Schwendler Doolittle Law Group, PLLC
Attorneys for Plaintiff
1207 Delaware Ave, Ste. 222
Buffalo, NY 14209
(716) 320-1671